

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

FILED  
SCRANTON

MAY 20 2011

UNITED STATES OF AMERICA

vs.

ROBERT K. WEST,  
Defendant

134  
NO. 3:11-CR-133

(JUDGE NEALON)  
(MAGISTRATE JUDGE MANNION)

Per [Signature]  
DEPUTY CLERK

**ORDER**

On April 15, 2011, a one count Information was filed against Defendant, Robert K. West, alleging that between January 1, 2002, and May 2007, Defendant willfully and knowingly conspired and agreed together with Ann C. West to file false income tax returns in violation of 18 U.S.C. § 371. (Doc. 1). A signed Plea Agreement was filed on April 20, 2011. (Doc. 3). Also on that date, this case was referred to Magistrate Judge Malachy E. Mannion for an Initial Appearance, Arraignment, and a Rule 11 proceeding subject to consent of the parties. (Doc. 4); see 28 U.S.C. § 636(b)(3).

On May 2, 2011, the parties signed a "Consent to Proceed Before United States Magistrate Judge for a Felony Guilty Plea" form. (Doc. 7). With the assistance of counsel, Defendant appeared before Magistrate Judge Mannion and entered a plea of guilty to the Information. (Doc. 10). On May 2, 2011, the Magistrate Judge issued a Report and Recommendation ("R&R") pursuant to 28 U.S.C. § 636(b)(1)(B), recommending that this Court enter an Order adjudging Defendant guilty of knowingly, intentionally, and voluntarily conspiring to commit criminal offenses in violation of 18

U.S.C. § 371. (Doc. 14). Magistrate Judge Mannion reported that he “advised the defendant of his rights and conducted a full guilty plea colloquy pursuant to Federal Rule of Criminal Procedure 11” and determined:

1. The defendant is competent to enter a plea of guilty;
2. The defendant understands his constitutional and procedural rights;
3. The defendant is aware of the nature of the charges and the potential consequences of the guilty plea;
4. The defendant has knowingly and voluntarily entered into the plea agreement which was disclosed in open court;
5. The plea of guilty is knowing, voluntarily and has an appropriate factual basis.

(Id.); see also FED. R. CRIM. P. 11. Neither party filed objections to the R&R.

**Accordingly**, this 20<sup>th</sup> day of May, 2011, **IT IS HEREBY ORDERED THAT** the Report and Recommendation (Doc. 14) is **ADOPTED** and Defendant’s plea of guilty is **ACCEPTED**.

A handwritten signature in black ink, appearing to read "William J. Mannion", written over a horizontal line.

**United States District Judge**